

REMARKS

This Reply and Amendment is intended to be completely responsive to the non-final Office Action dated July 14, 2011.

Status

Claims 1-58 are pending in this Application. Claims 33 and 35-57 are currently withdrawn from consideration and Claims 1-32, 34 and 58 currently stand rejected.

Independent Claim 58 and Dependent Claims 2, 5-16 have been canceled without prejudice to further prosecution on the merits.

Independent Claims 1 and 34 have been amended, and dependent Claims 17, 31, 32, and 34 have been amended in a manner that the Applicants believe has overcome the objections and rejections.

The Applicants believe the rejections and objections raised by the Examiner have been overcome and the Application is in condition for allowance. Reconsideration and allowance of pending Claims 1, 3, 4, 17-32 and 34 is respectfully requested.

Claim Objections

In section 6 of the Detailed Action, the Examiner objected to Claim 2 due to an informality. The Applicants have canceled Claim 2 without prejudice. The Applicants respectfully request withdrawal of the objection.

Claim Rejections – 35 U.S.C. § 102(b)

In Sections 8 and 9 of the Detailed Action, the Examiner rejected Claims 1, 2, 7, 34 and 58 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0071336 (“Smith et al.”).

The Applicants respectfully submit that Smith et al. discloses only that the “interior coating can be formed from flexible, abrasion-resistant material such as polyurea, elastomeric urethanes, modified and hybrid epoxies that are glass plates reinforced, modified and hybrid epoxies containing polytetrafluoroethylene type fillers and ceramic epoxy coating systems” (paragraph 0006) and “polyurea, elastomeric urethanes, modified or hybrid epoxies containing glass flakes or polytetrafluoroethylene type fillers (such as Teflon.®) and ceramic epoxy coatings” (paragraph 0037).

Independent Claim 1 has now been amended to more particularly define the subject matter claimed by the Applicant. Claim 1 (as amended) is directed to a “rotary concrete mixing drum ” and recites a combination of subject matter including (among others) that “the polymer includes polyurethane, and the slip agent is a polytetrafluorethylene powder configured to be held firmly in place so as not to substantially migrate within the polymer and having a weight percentage of at least 2% and no greater than 5% of the infused polymer along the surface, or a polyalpha olefin fluid having a highly branched structure configured so as not to significantly migrate within the polymer and having a weight percentage of at least 2% and no greater than 5% of the infused polymer along the surface.” A “rotary concrete mixing drum” having the features as now recited in Claim 1 (as amended) is not disclosed, taught, or suggested by Smith et al.

The Applicant respectfully submits that the rejection of Claim 1 (as amended) has been overcome and that Claim 1 (as amended) is patentable under 35 U.S.C. § 102(b). The Applicant respectfully requests withdrawal of the rejection and reconsideration and allowance of Claim 1 (as amended) and dependent Claims 3, 4, 17-32 and 34, as they depend from independent Claim 1.

Claim Rejections – 35 U.S.C. § 103(a)

In Sections 11-19 of the Detailed Action, the Examiner rejected Claims 3-6, 8-16 and 27-32 as being unpatentable over Smith et al. under 35 U.S.C. § 103(a).

Claims 5, 6, and 8-16 have been canceled without prejudice. Claims 3, 4 and 27-32 depend from independent Claim 1 (as amended). The Applicant has amended Claim 1 in a manner that the Applicants believe has overcome the rejection and placed Claim 1 in condition for allowance. The Applicants respectfully request withdrawal of the rejection, and reconsideration and allowance of Claims 3, 4 and 27-32, as they depend from Claim 1 (as amended).

* * *

The Applicants submit that each and every outstanding objection and rejection to the pending claims has been overcome, and the Application is now in condition for allowance. Independent Claim 1 has been amended to more particularly recite subject matter that the Applicant respectfully submits is patentable in view of the cited references. The Applicant respectfully requests reconsideration and allowance of Claims 1, 3, 4, 17-32 and 34.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of

Atty. Dkt. No. 061300-1011
papers submitted herewith, the Applicant hereby petitions for such extension under 37 C.F.R.
§1.136 and authorizes payment of any such extension fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date September 12, 2011

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